

PROB 12C
(6/16)

Report Date: March 3, 2021

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 03, 2021**

SEAN F. MCAVOY, CLERK

***Amended* Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Nash M. Teal

Case Number: 0980 2:14CR00104-TOR-1

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: December 4, 2014

Original Offense: Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 46 months
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - 6 months
(June 28, 2018) TSR - 30 monthsRevocation Sentence: Prison - 2 months
(October 24, 2019) TSR - 28 monthsRevocation Sentence: Prison - 12 months and 1 day
(February 25, 2020) TSR - 16 months

Asst. U.S. Attorney: Michael James Austen Ellis Date Supervision Commenced: December 28, 2020

Defense Attorney: Federal Defender's Office Date Supervision Expires: April 27, 2022

PETITIONING THE COURT

Please Note: The original petition was filed with the Court on February 10, 2021. The purpose of this petition is to amend the petition based on recent Washington State Supreme Court case Blake v State of Washington.

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/04/2021.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

4

Mandatory Condition # 1: You must not commit another federal, state or local crime.**Mandatory Condition # 2:** You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.

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Supporting Evidence: It is alleged, Mr. Teal violated his terms of supervised release by being arrested for possessing methamphetamine on February 5, 2021.

On February 25, 2020, Mr. Teal appeared before the Court for a supervised release revocation hearing. He was made aware of his conditions of supervised release upon his release from custody.

According to the report filed by the Spokane County Sheriff's Office, case number 2021-10015005, a deputy initiated a traffic stop on a vehicle driven by Mr. Teal. Upon being detained, Mr. Teal advised he had drugs in a bag located around his waist. A clear plastic baggie containing a white crystal-like substance was located, which later tested positive for the presence of methamphetamine.

It should also be noted, upon contact, Mr. Teal provided a false name and date of birth, and refused to provide his true identity. Mr. Teal's true identity was not discovered until he was fingerprinted at the Spokane County Jail.

5 **Mandatory Condition # 1:** You must not commit another federal, state or local crime.

Mandatory Condition # 2: You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: It is alleged, Mr. Teal violated his terms of supervised release by being arrested for possessing heroin on February 5, 2021.

On February 25, 2020, Mr. Teal appeared before the Court for a supervised release revocation hearing. He was made aware of his conditions of supervised release upon his release from custody.

According to the report filed by the Spokane County Sheriff's Office, case number 2021-10015005, a deputy initiated a traffic stop on a vehicle driven by Mr. Teal. Upon being detained, Mr. Teal advised he had drugs in a bag located around his waist. A clear plastic bag containing a brown hard rock-like substance, and a bag containing a brown gum-like substance was located. Both substances were tested and returned positive for the presence of heroin.

6 **Mandatory Condition # 1:** You must not commit another federal, state or local crime.

Mandatory Condition # 2: You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: It is alleged, Mr. Teal violated his terms of supervised release by being arrested for possessing marijuana on February 5, 2021.

On February 25, 2020, Mr. Teal appeared before the Court for a supervised release revocation hearing. He was made aware of his conditions of supervised release upon his release from custody.

According to the report filed by the Spokane County Sheriff's Office, case number 2021-10015005, a deputy initiated a traffic stop on a vehicle driven by Mr. Teal. Upon being

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detained, Mr. Teal advised he had drugs in a bag located around his waist. A large plastic bag containing marijuana was found.

7 **Mandatory Condition # 1:** You must not commit another federal, state or local crime.

Mandatory Condition # 2: You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: It is alleged, Mr. Teal violated his terms of supervised release by being arrested for possessing fentanyl pills on February 5, 2021.

On February 25, 2020, Mr. Teal appeared before the Court for a supervised release revocation hearing. He was made aware of his conditions of supervised release upon his release from custody.

According to the report filed by the Spokane County Sheriff's Office, case number 2021-10015005, a deputy initiated a traffic stop on a vehicle driven by Mr. Teal. Upon being detained, Mr. Teal advised he had drugs in a bag located around his waist. A clear plastic bag containing 50 blue pills with "M" on them, believed to be fentanyl, was found. Also found was a separate bag containing small white pills with "M 30" on them, believed to be fentanyl.

8 **Mandatory Condition # 1:** You must not commit another federal, state, or local crime.

Supporting Evidence: It is alleged, Mr. Teal violated his terms of supervised release by being arrested on February 5, 2021, for operating a motor vehicle without a valid operating license.

On February 25, 2020, Mr. Teal appeared before the Court for a supervised release revocation hearing. He was made aware of his conditions of supervised release upon his release from custody.

According to the report filed by the Spokane County Sheriff's Office, case number 2021-10015005, a deputy initiated a traffic stop on a vehicle driven by Mr. Teal. Mr. Teal was arrested for operating a motor vehicle without a valid operating license.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/03/2021

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

March 3, 2021

Date